

Dear Sir:

At the time I purchased the T-Mobile Family Plan service from one of their agency, the "Plaza Dorada" from Perth Amboy, NJ. The agent told me that I will have free night calls after 9:00pm and 50 free text messages.

When I got my phone bills T-Mobil charged me all the phone calls made after 9:00pm and they state that text messages are free only the first 50 text messages received but not include the text message sended.

I have reviewed my contract of service and this document said only "Family Plan" and nothing else. According to T-Mobile this means what they say now and not what their agent told me at the time I bought the service.

T-Mobile recognize the mistake made by some of their agents when in one of their message say "Many Indirect dealers sell multiple services and not just T-Mobile and sometimes can Mix up the features and plans". If these agents made a mistake, Do I have to pay for that mistakes?

Is this a trick to sell easily a service and then when signed denied what the other party promised?

Attached find the emails communication between T-Mobile and I without reaching a fear solution.

Hope you can help me to solve this problem with T-Mobile.

For any question on the above matter please use the email communication to: achamizo@yahoo.com

Sincerely,

Maria T. Contreras

Customer - 02/01/2003 09:40
AM
Question Reference #030201-000305

Dear Sir:

My name is Maria T. Contreras with Account Number: 241014153.

On October 3, 2002 I signed a contract with your company for a Family Plan. The agent, from the agency "Plaza Dorada" from Perth Amboy, told me that my plan would be:

- 1) Free night calls on weekdays after 9:00pm and weekends.
- 2) 50 free text messages service.

3) 800 free minutes on weekdays before 9:00pm.

At the time of the contract I didn't received any description in writing about the Family Plan. The contract service only says this is a Family Plan and nothing else.

On January 10, 2003 I received my statement for the cellular service. T-Mobile is charging me as follow:

1) T-Mobile is charging me for phone calls made after 9:00pm on weekdays.

2) T-Mobile is charging me for text messages send

3) T-Mobile is charging me for text messages I never sent due to the time, around 3:00am and 5:00am.

On January 28, 2003 5:40pm I called to 1-800-937-8997 and Mr. Luis with code number: 51302 told me that the system was down and it was not possible for him to see my plan and bill. I told him that according with the agency, where I bought my Family Plan, I was supposed to make free phone calls after 9:00pm. Luis told me he needs to see the service contract in order to give me an answer. He required for me to send a fax to him. He advised me to call him in two or three days to see if the system would be up.

Yesterday, January 31, 2003 8:20pm I called again and I talked to Clara with code number: 0151939 to whom I explained my problem. This is what happened:

Me: Your company made a mistake in my bill charging me for phone calls after 9:00pm on weekdays.

Clara: According with your Family Plan you are not allowed to make phone calls for free after 9:00pm.

Me: When I bought the Family Service Plan the agent told me that I have it.

Clara: Your Family Plan contract doesn't say that.

Me: My Family Plan doesn't say anything the contract is blank without any specific requirements on how I have to use this service. Luis, the other person, told me to send him a Fax and if he find my contract doesn't say anything he would considerate the way to fix this problem. Can you give me the Fax number so I can send a fax to Luis?

Clara: (After 3 minutes of waiting in the line.) Sorry, I can't find the Fax Number, I asked my supervisor and she doesn't know either. I tried to find out who was that Luis and the code number don't exist in our records. Usually we have 7 digits but you only give me 5 digits...

This conversation and search last for more than 20 minutes.

Me: Also, there are many phone calls that you are charging me many

times, for example I made a phone call at 8:00pm and because the call dropped I had to call again at the same number and at the same time or one minute later and you are charging me many times just because the bad service dropped my phone calls. Do I have to pay for all these calls too?

Clara: Yes, because in months before you paid and you didn't complaint at all so you have to pay now.

Me: I didn't complaint because I had no time to do it. Are you going to punish me for not to do it? Also, you are charging me for 70 text messages I made. According with my contract I have the right to send 50 text messages.

Clara: You can receive 50 free text messages but you have to pay for text messages you send.

Me: But in the contract and the agent didn't explained me like that. How can I know everything that you say to me now if in the contract only say "Family Plan" without any explanation at all?

Clara: I only follow rule, I can't do anything at this point for you.

I request the following:

- Submit a complete description about my plan.
- Delete the entire phone calls made after 9:00pm on weekdays.
- Delete all of the messages I sent, in a total of 50 and also those made around 3:00am and 5:00am.
- Delete all phone calls was dropped at the same date and time because a failure in service.
- Or to cancel this Family Plan Service contract and start a new one.

Sincerely,
Maria T. Contreras